

Testimony in support of SB 132: An act creating an exemption to the requirement for a rubella blood test as a condition of obtaining a marriage license 1-22-07

Jane Smilie, MPH, Administrator, Public Health & Safety Division, DPHHS

Chairman Weinberg and Members of the committee, my name is Jane Smilie and I am the Administrator of the Public Health & Safety Division at DPHHS.

The Department has appreciated working with Senator Gallus to address this issue since the last legislative session.

We still believe it is best for all women to be tested for rubella immunity and subsequently immunized if found not to be immune to the rubella virus in order to prevent birth defects in their future children. However, there are a number of reasons why we do not object to a provision to allow waiving this blood test.

- In Montana in 2005, nearly 35% of Montana births were to mothers who were not married and therefore would not have been prompted to be tested via this mechanism.
- A woman's childbearing years are considered to be primarily 15-44 years of age. 15% of women married in Montana in 2005 were older than 44. Since few of these women will become pregnant, this test which protects babies in utero is not as important to this group of women. In fact, women over 50 are currently exempt from rubella testing. (ARM 37.12.608)
- Testing is achieved via marriage license, STD clinics and regular medical care settings. This combination of screening opportunities will continue with the waiver proposed in this bill.
- We are among the last states in the U.S. to allow for a waiver or completely eliminate this requirement.

If this bill is passed, the Department will provide the educational materials to inform couples of the reasons for undergoing a blood test and the risks associated with remaining uninformed of their rubella status.

Still, it is important to remember that although rubella is being controlled, it is not eradicated.

- In Montana, about 10 women per month are being identified and, most importantly, immunized to prevent birth defects in their future fetuses, because of the marriage license requirement.
- Several cases of congenital rubella syndrome are detected in the US each year. If a woman gets rubella in the early months of pregnancy, there is an 80% chance her baby will be born with defects. These can include deafness, blindness or hearts or brain damage. Miscarriages due to the infection also occur.

We believe this bill presents a reasonable approach to addressing rubella testing at marriage.